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United States Senate

SELECT COMMITTEE ON ETHICS

September 3, 2019

Tricia Russell
Office of Senator Cory A. Booker
United States Senate
Washington, DC 20510

Dear Ms. Russell:

This responds to your recent correspondence concerning an invitation you received to travel to the *Bipartisan Senate Chiefs of Staff Conference* in Annapolis, Maryland, on September 13–15, 2019, sponsored by The Pew Charitable Trusts (Pew). Pew certified to the Select Committee on Ethics (the Committee) that it will pay the *necessary expenses*¹ related to the travel and that it is neither a lobbyist, nor lobbying firm, nor agent of a foreign principal, and it is not otherwise acting as a representative or agent of a foreign government. However, Pew has certified that it is an organization designated under § 501(c)(3) of the Internal Revenue Code² that retains or employs a registered lobbyist and that no registered lobbyist or agent of a foreign principal will accompany you at *any point throughout your trip*.³

Based on information and materials available to the Committee, and assuming the **actual** travel and travel-related expenses conform to the information and materials you provided, it appears that the proposed payment or reimbursement of necessary expenses for this trip **may be accepted** under relevant Senate Rules and the Committee's *Regulations and Guidelines for Privately-Sponsored Travel*, so long as at the time of the payment or reimbursement, Pew is neither a registered lobbyist nor lobbying firm under the Lobbying Disclosure Act of 1995, nor an agent of a foreign principal under the Foreign Agents Registration Act (and is not otherwise acting as a representative or agent of a foreign government), and provided the travel and all required documents are disclosed to the Secretary of the Senate in accordance with the provisions of Senate Rules 34 and 35.

Under Senate Rule 35, Senate staff must receive advance authorization signed by the Member or officer under whose direct supervision the individual works in order to accept payment or reimbursement for necessary expenses related to fact-finding travel. Further, such authorization and expenses must be disclosed to the Secretary of the Senate by filing the completed *Employee Pre-Travel Authorization* and the *Employee Post-Travel Disclosure of Travel Expenses* (Form RE-1 and Form RE-2), along with a copy of the *Private Sponsor Travel*

¹ The term “necessary expenses” has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 8.

² 26 U.S.C. § 501(c)(3).

³ The term “any point throughout your trip” has a specific definition. See *Select Committee on Ethics’ Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 2.

Finally, Senate Rule 34 requires a reporting individual⁴ on his or her Financial Disclosure Report, to make an annual disclosure of the receipt of payments or reimbursements under Senate Rule 35 from a private sponsor for officially-related travel expenses where, in the aggregate, travel expenses exceed \$390 from that sponsor during a calendar year. However, if a Member, officer, or employee properly reports the receipt of necessary expenses for such travel to the Secretary of the Senate within 30 days of the travel, as discussed above, the travel expenses need not be disclosed a second time on their Financial Disclosure Report.

Sincerely,

Deborah Sue Mayzer

Deborah Sue Mayer
Chief Counsel and Staff Director

Enclosure: Travel Checklist

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